

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ELAINE CHAO,)	CASE NO. 8:04cv388
SECRETARY OF LABOR,)	
UNITED STATES DEPARTMENT OF LABOR,)	
Plaintiff,)	
)	
v.)	JUDGMENT
)	
NICHOLAS G. PATRINOS, CHRISTINA)	
KYRIAKOS PATRINOS, and)	
STRATEGIC MARKETING, INNOVATIONS)	
& SOLUTIONS, INC.)	
Defendants.)	

Pursuant to the court's Memorandum and Order filed this date, and Fed. R. Civ. P. 54(b),

IT IS ORDERED, ADJUDGED, and DECREED that Defendant Strategic Marketing, Innovations & Solutions, Inc., its officers, agents, servants, employees, and those persons in active concert or participation with her who receive actual notice of this judgment be, and each of them hereby is, permanently enjoined and restrained from violating the provisions of section 15(a)(2) of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. § 201 et seq.), hereinafter called the Act, in any of the following manners:

1. Defendant Strategic Marketing, Innovations & Solutions, Inc. shall not, contrary to sections 6 and 15(a)(2) of the Act, fail to pay to its employees engaged in commerce or in the production of goods for commerce wages at rates not less than \$5.15 an hour, or any rate subsequently made applicable by amendment to the Act.

2. Defendant Strategic Marketing, Innovations & Solutions, Inc. shall not, contrary to sections 7 and 15(a)(2) of the Act, employ any of its employees in commerce or in the production of goods for commerce for workweeks longer than 40 hours without compensating such employee for his or her employment in excess of 40 hours per workweek at a rate not less than one and one-half times the regular rate at which he or she is employed.

3. Defendant Strategic Marketing, Innovations & Solutions, Inc. is hereby restrained from continuing to withhold unpaid minimum wages and/or overtime compensation due certain of their employees in the amount of \$65,311.79 to the employees named in Appendix A attached hereto in the amounts set forth opposite their names for the period indicated.

IT IS FURTHER ORDERED, ADJUDGED, and DECREED that Plaintiff shall recover from Defendant Strategic Marketing, Innovations & Solutions, Inc. the sum of \$65,311.79 in unpaid minimum wages and/or overtime compensation for

certain of Defendant's employees and the sum of \$65,311.79 as liquidated damages.

IT IS FURTHER ORDERED that Defendant Strategic Marketing, Innovations & Solutions, Inc. shall deliver to the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Midwest Region, P.O. Box 880906, Dallas, Texas 75388-0906, within 15 days of the date of this judgment, a certified or cashier's check made payable to "Wage and Hour - Labor" in the amount of \$130,623.58. Defendant shall furnish with the check its federal tax identification number and the Social Security number and last known address for each employee named in Appendix attached hereto. Upon receipt of full payment from Defendant Strategic Marketing, Innovations & Solutions, Inc., Plaintiff's counsel shall file with the Court a certificate of payment and representatives of the Plaintiff shall distribute such amounts, less appropriate deductions for federal income withholding taxes and the employee's share of the social security (F.I.C.A.) tax, to the employees or their legal representatives as their interests may appear, in accordance with the provisions of section 16(c) of the Act. Defendant Strategic Marketing, Innovations & Solutions, Inc. remains responsible for the employer's share of F.I.C.A. arising from or related to the back wages distributed by Plaintiff.

Any sums not distributed within a period of three years from the date of this judgment because of inability to locate the proper persons or because of such person's refusal to accept the sums sought to be distributed shall be deposited into the Treasury of the United States.

Each party shall bear his or its own costs, fees and other expenses incurred by such party in connection with any stage of this proceeding.

Dated this 26th day of July, 2006.

BY THE COURT:

s/ Richard G. Kopf
United States District Judge